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HELP AMERICA VOTE ACT OF 2002

STATE PLAN

FOR

THE STATE OF GEORGIA

Election Reform in the State of Georgia

Plan written and submitted by
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Secretary of State

July 24, 2003

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12/10/03

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Chapter I

ELECTION HISTORY IN THE STATE OF GEORGIA

Pre-2000 General Election

In the State of Georgia, much like every state in the nation, the responsibility for conducting elections falls upon county and municipal governments. In each Georgia county, the local governing authority was responsible for the selection and purchase of the county voting system. The local election superintendent was responsible for the maintenance and testing of the voting systems as well as for the printing of election ballots pursuant to state law.

In the November 2000 General Election, 93,991 ballots in the State of Georgia did not register a vote in the Presidential race, because either: (1) the voter accidentally marked more than one vote for the office; (2) the voter attempted to make a choice, but did not mark the ballot correctly; (3) the voting device failed to count the vote cast; or (4) the voter chose not to vote for the President.

In the weeks following the November 2000 General Election, the Secretary of State compiled information from citizen complaints, minutes of public hearings conducted by the NAACP, analyzed concerns submitted by the League of Women Voters, and interviewed dozens of local election superintendents, voter registrars, and political party leaders to evaluate the state of elections in Georgia.

Through this compilation of information, the Secretary of State identified several themes and trends that have historically plagued Georgia's election process as well as election processes throughout the nation. Through this analysis, the Secretary of State identified the following categories that specifically affected Georgia elections:

- ? Outdated Voting Equipment
- ? Ballot Problems

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- ? “Lines too long” & other polling place deficiencies
- ? Shortage of trained poll workers
- ? Election law violations
- ? Slow processing of Absentee Ballots
- ? Growth of “language minorities”
- ? State mainframe computer system unreliable
- ? Counties slow to report election results, and
- ? Voter registration process costly and slow

The Secretary of State also identified that the state was using four different types of voting systems and noted that no uniformity existed among the counties for counting votes. The Secretary of State further noted that each system experienced a significant amount of undervotes.

As noted in the table below, the Secretary of State conducted a statistical analysis on a county-by county basis of the undervotes that occurred on each type of voting system and calculated that in the 2000 General Election, the average percentage of undervotes for each system used in the State for all counties was 3.6%.

Voting System	Year Invented	Introduced in Georgia	Number of Counties using system	Under vote Percentage	Number of Votes not counted
Paper ballot	1889	1900	2	3.3%	113
Punch card	1890	1964	17	4.6%	38,065
Lever machine	1892	1950	73	4.2%	16,926
Opti-scan	1980	1986	67	4.2%	21,999
-Central count				4.7%	16,196
-Precinct count					

Based on these findings, the Secretary of State prepared a report to the Governor and the Members of the General Assembly compiling the results of the study and recommending that the State:

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- (1) Adopt a Statewide Uniform Electronic Voting Initiative - Authorize, fund, and deploy a Statewide Uniform Electronic Voting Initiative (SUEVI) to create a single uniform method of voting consistent in every county in the state;
- (2) Implement Early Voting - Enhance polling place convenience and reduce Election Day gridlock;
- (3) Overhaul the Voter Registration System - Upgrade the state's voter registration database from the slow, unreliable, inflexible, and expensive mainframe system to a flexible state-of-the-art server-based system;
- (4) Pursue Poll Worker & Poll Location Alternatives - Seek new alternatives to assist counties in securing new poll locations and recruiting and training poll workers, both of which are in short supply;
- (5) Streamline Polling Place Procedures - Reduce and eliminate burdensome paperwork procedures at the polls and move voters more quickly through the voting process;
- (6) Consolidate Authority to Remove Deceased Voters from Voter List - Authorize the Secretary of State to remove deceased voters from the voter rolls to assure a more accurate voter list, (responsibility that previously rested solely with the counties); and
- (7) Modernize Voter Information Resources - Utilize new centralized technology solutions to offer citizens quicker, easier means to locate their precinct and verify their voter registration.

The report from the Secretary of State not only recommended that the State adopt a single uniform voting platform, but also initiated a shift in policy – transferring a portion of election responsibilities from the counties and election superintendents to the State for funding and deployment of a new statewide election system.

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Chapter II

ELECTION REFORM IN THE STATE OF GEORGIA

Post-2000 General Election

As a result of the report and recommendations submitted by the Secretary of State, the General Assembly enacted bipartisan legislation, Senate Bill 213, (hereinafter “SB 213”) which the Governor signed into law on April 18, 2001. *Official Code of Georgia Code Annotated § 21-2-300 (hereinafter O.C.G.A. § 21-2-300)*. Provisions of this legislation established the policy and the statutory framework for Georgia to move toward identifying and deploying essential changes to the election system.

Chief among the changes to the election system was the policy directive that the Secretary of State would purchase a uniform voting system for casting and counting votes in county, state and federal elections by the July 2004 General Primary, a system to be used in every election thereafter in every county in the state. Additionally, for the first time ever, the Secretary of State was given authority to deploy to the counties a voting system that met requirements established by the Secretary of State. *O.C.G.A. § 21-2-300 (a)*. With adoption of this directive, Georgia became the first state in the nation to set a deadline for the implementation of a modern uniform statewide voting system.

O.C.G.A. § 21-2-300 also authorized the Secretary of State to conduct a pilot project to test and evaluate the use of electronic voting systems during the 2001 municipal elections. It created the 21st Century Voting Commission (hereinafter “Voting Commission”) to oversee the pilot project. The statute further authorized the Voting Commission to make recommendations to the General Assembly and the Secretary of State. O.C.G.A. § 21-2-300 earmarked the first step in creating meaningful election reform in the State of Georgia.

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THE 21ST CENTURY VOTING COMMISSION

The mission of the Voting Commission was very clear -- oversee the electronic voting pilot project to test direct recording electronic (DRE) voting equipment, advise the Secretary of State on the choice of voting equipment to be used statewide in all counties pursuant to Code Section 21-2-300, and report findings to the Governor and the General Assembly by December 31, 2001. The Voting Commission, comprised of balanced partisan representation, included four Democrats, four Republicans, eight Non-Partisan members, one Independent, and one member of the Libertarian Party of Georgia, six local county election officials, the Director of the State Elections Division, as well as five members of the Georgia General Assembly -- three from the House and two from the Senate. The Voting Commission also accepted input from various public interest groups representing minorities, disabled voters and multi-lingual groups.

As its first priority, the Voting Commission began investigating voting systems and establishing standards that a voting system would have to meet in order to be considered for the pilot project and use in the State of Georgia. The standards included:

- (1) A convenient and intuitive voter interface;
- (2) Features that prohibit duplicate, or overvotes;
- (3) Opportunity to correct undervote or overvotes on ballot;
- (4) Strong security components to assure that votes cannot be lost or cast without authorization;
- (5) The capability to print, if required, a written record of each ballot cast;
- (6) The flexibility to store and present thousands of different ballot variations or "styles";
- (7) The capability to be fully accessible to blind voters and those with other disabilities and allow disabled voters to cast their ballot independently and without assistance;
- (8) The ability to compute final results and generate a variety of election reports very quickly; and
- (9) A turnkey system that would allow each county to conduct any election from start to finish without any assistance from the Vendor.

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THE PILOT PROJECT

Upon establishing the system standards of the voting platform, the Voting Commission began preparing for the November 2001 Pilot Project. In response to an RFP commissioned by the Voting Commission, seven DRE system vendors petitioned to participate in the November 2001 Pilot Project. At a June meeting of the Voting Commission in Atlanta, all seven vendors demonstrated their systems and presented their experience and track record in the industry. The Voting Commission recommended that all seven vendors be allowed to participate in the project, provided that each vendor obtained the necessary national and state certifications in time to adequately prepare for the November 2001 Election.

The Secretary of State entered into contracts with six certified vendors to conduct the Pilot Project. Using a lease agreement, the vendors agreed to provide voting systems for the Pilot Project at a special rate of \$600 per voting unit. The contracts required that vendors transport the units to and from the cities, provide training for both election superintendents and poll workers, assist with voter education efforts via public demonstrations, and have staff present in precincts to provide Election Day support.

The Voting Commission held five public hearings and additional sub-committee work sessions across the State of Georgia. In these hearings, the Voting Commission reviewed data on voting error rates, heard presentations from manufacturers of electronic voting equipment and testimony from election officials from Georgia and other states, considered comments from interest groups, stakeholders, and the general public on voting issues, and reviewed the election results from the Pilot Project. Several Voting

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Commission delegations also traveled to other states to personally observe elections in which DRE voting equipment was used.

Based on information obtained from the extensive analysis and review of data, public testimony, and observations obtained from the Pilot Project, the Voting Commission made the following system recommendations to the Governor and members of the General Assembly:

- 1) Georgia's uniform election platform should be a DRE voting system used for Election Day in-precinct voting, for in-person absentee voting, and, if authorized by new legislation, for in-person "advance" or "early" voting. The DRE system selected should have the capability to prevent duplicate, or overvotes, provide voters with a "summary screen" to warn voters of potential undervotes or selection errors, and include a process for voters to correct errors or omissions before a final vote is cast. The system should include on-board battery back up in case of power failure, have the capability to produce an independent and paper audit trail of every ballot cast and should permit a visually impaired voter, and others with disabilities, to cast a ballot independently and without assistance.
- 2) For absentee voting by mail, the uniform system should include an optical scan component. The optical scan component should integrate seamlessly with the DRE components of the system for ballot preparation and tabulation.
- 3) The uniform election system should be controlled by an Election Management System or software program that will allow election officials to easily design both DRE and optical scan ballot formats simultaneously, that will integrate all results into a single vote tallying report and that will easily interface with existing and future voter registration systems.
- 4) The state should seek to maximize the benefits of statewide negotiating and purchasing capacity by securing a statewide software license, as well as favorable pricing for technical support, maintenance and additional or replacement equipment that is made available for the benefit of local governments.

The Voting Commission unanimously adopted these recommendations and submitted them to the Governor and members of the General Assembly in December 2001.

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SYSTEM SELECTION

Based upon the success of the Pilot Project and the recommendation from the Voting Commission, the Governor authorized and the General Assembly approved a Statewide Uniform Electronic Voting Initiative Fund (SUEVI) and authorized \$54 million in bond funds for the purchase of a statewide uniform electronic voting system. The Governor also authorized \$3.8 million for the first ever voter education fund and \$500,000 for the creation of an Election Center for election official training and support at Kennesaw State University (the Kennesaw State University Center for Election Systems, hereinafter “KSU Center for Election Systems”).

Upon establishment of the election fund, the Secretary of State and the Georgia Technology Authority (hereinafter “GTA”) initiated a Request for Proposal process (“RFP”) in January 2002 and began evaluating proposals from vendors capable of supplying a Direct Recording Electronic Voting System on a statewide basis for 2926 precincts in 159 counties. The RFP required each vendor to submit a proposal that included: voting system specifications, pricing plans, deployment plan and schedule, training plan and schedule for hardware and software training, a service plan -- both short term and long term, and a proposal for voter education efforts.

In response to the RFP, nine vendors submitted bids for the deployment of a statewide voting system and a very intensive proposal and demonstration process began with the assistance of the Georgia Technology Authority. Through multiple evaluations by GTA and the evaluation committee, Diebold Election Systems, Inc. (hereinafter “Diebold”) was recommended as the best value for the state.

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The State of Georgia entered into a contract with Diebold on May 3, 2002, wherein the State of Georgia and Diebold agreed to deploy a uniform voting system in every county within a 6-month implementation period (186 days prior to the November 5, 2002 election).

SYSTEM DEPLOYMENT

The deployment plan included in Diebold's response to the State's RFP included the following phases:

System Testing

- ? 19,015 touch screen voting stations, 400 absentee ballot systems and 161 voting system servers to be tested a minimum of 4 times throughout deployment at:
 - o Manufacturer's warehouse;
 - o Central processing warehouse;
 - o Acceptance testing at the county location by KSU; and
 - o Logic and Accuracy testing conducted by Diebold and County election staff days before the November election;

System Deployment

- ? Secretary of State created a formula based on DRE units per number of active registered voters per county to determine the number of DRE units each county would receive;
 - o Counties were divided into 12 delivery regions;
 - o Dates were established for delivery of components of the voting system to the Counties;
 - o Site surveys were conducted of polling places for assurances of adequate electrical supply, structural support of the building and security of the building for protection of the voting system;
 - o Intergovernmental Agreements were created between the State and each county, to, among other things, specify the storage, protection and use of the voting system.

Voter Education

- ? Creation of uniform poll worker training video, voter education video and 30-second public service announcement entitled "Touch the Future";
- ? State, regional and county level "Voter Education Coordinators" to conduct hands-on DRE demonstrations in every county;
- ? Printed materials to be distributed through U.S. mail and selected community groups;
- ? Comprehensive voter education website with interactive equipment demonstration;

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- ? DRE unit demonstrations were conducted in a variety of settings;

System Training

- ? Election official training on the operation of the voting system officials provided by Diebold;
- ? On-site county training at the request of the county by the KSU Center for Election Systems;
- ? Regional “refresher” sessions conducted by the State Elections Division;
- ? Poll worker training (at least 2 per precinct for all 2,926 precincts) provided in the county by Diebold; and
- ? Additional training on demand conducted by KSU Center for Election Systems and Diebold.

As a result of the detailed deployment plan, which included equipment deployment, voter education, election official training, voter education coordination at the regional and local level, and voter participation and enthusiasm of state election officials and poll workers, the November 2002 General Election in Georgia was an overwhelming success. The undervote rate for the 2002 U.S. Senate Election was a historically low 0.86% (a dramatic reduction, compared to the 2000 Presidential Election undervote rate of 3.5% and the 1998 U.S. Senate Election undervote rate of 4.8%). The State of Georgia successfully completed its first step in achieving meaningful election reform in the State of Georgia and the entire nation.

CHAPTER III

TITLE III REQUIREMENTS OF THE HELP AMERICA VOTE ACT OF 2002

With the successful completion of the nation’s largest ever election using a modern electronic uniform voting system, and a broad based effort by state and local policymakers committed to election reform, Georgia took a giant step toward improving the accuracy and convenience of elections in the State of Georgia.

This success was built upon the proactive steps taken in anticipation of the proposed HAVA legislation by committed Georgia policy makers who embraced election

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reform. As reflected in the Status Chart attached as Appendix “A,” several requirements under Title III of HAVA were implemented during Georgia’s 2002 deployment of its statewide uniform election system. In fact the chart demonstrates that Georgia is approximately 95 to 99% compliant with the mandated requirements of the HAVA.

ACHIEVING COMPLIANCE UNDER THE HAVA

To achieve full compliance with Title III HAVA requirements the Georgia General Assembly in its 2003 Legislative Session considered and passed Senate Bill 258 (hereinafter “SB 258”), which was signed by the Governor on June 2, 2003. SB 258 revises the following six election code areas:

- ? **Definition of a vote** – The Election Code currently provides for the definition of a vote for each election system used in the State of Georgia for federal, state and local elections; SB 258 authorizes the State Election Board to promulgate rules to consolidate and define a vote as required by HAVA.
- ? **Registration of first-time voters by mail** – SB 258 amends the Election Code to provide that citizens who register for the first time via U. S. Mail are required to include with that registration form an appropriate form of identification depicting their identity. For those who register by mail and who fail to include such documentation, they will be required to present identification at the polling place, and will not have the option to overcome that requirement by attesting to an oath.
- ? **Military and Overseas Ballots** – SB 258 amends the Election Code to designate the Secretary of State as the office to handle military ballot voting procedures, and provides that UOCAVA applications for absentee ballots for

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military and overseas voters shall be valid for two election cycles. It also authorizes the Secretary of State to adopt a new ballot oath created by the Federal Voting Assistance Program.

- ? **Provisional Ballots** – SB 258 amends the Election Code to provide that ballots cast during an election with federal candidates on the ballot at a polling place during extended polling hours as a result of a court order be treated as provisional ballots. It also requires county election officials to provide notification to the voter regarding how to obtain information on whether the provisional ballot was counted and also requires the creation of a free access system that allows the voter to determine whether the provisional ballot was counted or not;

- ? **“Overvote” Instructions** - The Georgia DRE voting system precludes a voter from casting an “overvote” at the polling place. SB 258 amends the Election Code to provide that the absentee ballot instructions for optical scan mail in ballots include information about overvotes and explain how to avoid them.

- ? **State Administrative Complaint Procedures** - SB 258 amends the Election Code to authorize the Secretary of State as the designated Chief Election Official to establish and administer an administrative complaint procedure for processing Title III HAVA related complaints in an expedited manner.

Upon approval of SB 258 by the United States Department of Justice, the State of Georgia will have the statutory framework in place to implement all necessary procedures to bring Georgia into 100% compliance with the Help America Vote Act.

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CHAPTER IV

ADMINISTRATIVE REQUIREMENTS UNDER THE HELP AMERICA VOTE ACT

In addition to implementing the Title III requirements, the State of Georgia has taken steps to meet and implement the administrative requirements of Title I and II of HAVA in the following manner:

Sec 101

Early Money Out

The State has certified and indicated its participation for receipt of Title I payments through the GSA website;

Sec 101

Toll-Free Access System

The State will study and evaluate the implementation of a toll-free telephone hotline that voters may use to report possible voting fraud and voting rights violations, to obtain general election information, and to access detailed automated information on their own voter registration status, specific polling place locations, and other relevant information.

Sec 101

Accessibility of polling places for disabled voters

The State intends to survey and supervise the improvement of accessibility and quantity of polling places providing physical access for individuals with disabilities.

Sec 102

Certify replacement of punch card and lever voting systems

The State has replaced punch card and lever voting systems and intends to use Section 102 funding to reimburse the State treasury as permitted by HAVA.

Sec 213

Standards Board Representatives

The State has appointed two Representatives to the Standards Board.

Sec 253

Certification of use of Title II Requirements Payments

The State intends to certify that it will use the Requirements Payments as required by HAVA.

Sec 254

HAVA State Plan

The State has prepared its HAVA State Plan.

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Sec 402

Administrative Complaint Procedure

The State intends to implement rules to administer the Administrative Complaint Procedure pursuant to SB 258, which authorizes the Secretary of State to implement a HAVA complaint procedure for resolving Title III complaints within the 60-90 day time frame unless extended by agreement of the complainant.

Sec 706

Military and Overseas Voting Information Office

The Secretary of State pursuant to SB 258 shall be the Designated Military and Overseas voting Information Office and shall report information to the Election Assistance Commission.

CHAPTER V

CONTINUED COMPLIANCE WITH THE HELP AMERICA VOTE ACT

THE HAVA STATE PLAN

1. *How the State will use the requirements payment to meet the requirements of Title III, and, if applicable under section 251(a)(2), to carry out other activities to improve the administration of elections (sec. 254, a, 1)*
 - ? A portion of the Requirements Payments will be used to retire bonded indebtedness incurred to purchase Georgia's new statewide uniform electronic voting system.
 - ? A portion of the Requirements Payments will be used to upgrade and eventually replace the ten-year old centralized voter registration database currently being used by the State. The new system will allow an easier interface and more efficient system functions.
 - ? Additional expenditures will be made in the following areas:
 - Voter education activities
 - Election official training activities
 - Components of the voting system
 - Any other activities allowed under HAVA
2. *How the State will distribute and monitor the distribution of the requirements payment to units of local government or other entities in the State for carrying out the activities described in paragraph (8), including a description of--*
 - (a) The criteria to be used to determine the eligibility of such units or entities for receiving the payment; and*
 - (b) The methods to be used by the State to monitor the performance of the units or entities to whom the payment is distributed, consistent with the performance goals and measures adopted under paragraph (sec. 254, a, 2)*

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Distribution of Requirements Payments

As the State's chief election official, the Secretary of State is authorized by O.C.G.A. § 21-2-300 to implement and deploy a statewide uniform voting system for use by local election officials in county, state, and federal elections. As part of that authority the Secretary of State established a formula to determine the number of voting units and training funds to be delivered to each county. The formula considered among other things the following criteria:

- ? Number of registered voters in each county
- ? Number of precincts per county
- ? Number of poll workers per county
- ? Number of DRE units for every registered voter per county.

The criteria set forth above allowed the Secretary of State to distribute a proportionate number of DRE units along with voter education training funds and poll worker training funds to every county on a fair and equitable basis.

Distribution of the voting system and training funds were facilitated through the following tools:

- ? Intergovernmental Agreements for use of voting equipment and training funds
- ? Expense codes for tracking Training funds disbursement
- ? Allocation Request Forms for Training funds
- ? Inventory logs for voting equipment
- ? Reports indicating the status and success of the projects and activities.

Monitoring of Requirements Payments

Under the current statutory structure, the Secretary of State remains charged with facilitating and maintaining the uniform voting system; accordingly, as the State's chief election official, the Secretary of State will be the officer in charge of monitoring and disbursing HAVA funds.

The Secretary of State will be responsible for disbursing and tracking Title I and Title II funds for projects identified for implementing enhancements to election administration.

The Office of the Secretary of State using the expense codes created for disbursing the voting system and training funds in 2002 will continue the use of expense codes and allocation request forms to monitor and track HAVA spending. End of year audits conducted by the State of Georgia Department of Audits and Accounts will be used to monitor HAVA expenditures.

Local and county governments that receive disbursements from the State for enhancements to election administration, whether state or federal funds, will be required

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to submit allocation request forms and agree to the use of the funds for the designated purpose. Each local government will conduct an end-of-year audit and may be required to submit reports to the Secretary of State indicating the status and success of any projects or activities that receive funding through the Secretary of State.

3. ***How the State will provide for programs for voter education, election official education and training, and poll worker training which will assist the State in meeting the requirements of Title III (sec. 254, a, 3)***

Voter Education

The Secretary of State created a state level Voter Education Coordinator Program that facilitated statewide educational and training projects, which included regional and local voter education activities.

The Voter Education Coordinator activities included the following initiatives:

- ? Public relations campaign - New voting system was promoted through extensive print and broadcast media outlets. Training videos, public announcements, and general advertisements were created and distributed statewide.
- ? U.S. Mail campaign - Voting instructions were mailed to every registered voter in the State. The mailings publicized the new voting system and provided step-by-step voting instructions and procedures.
- ? Pre-Election Day Demonstrations - Voting units were demonstrated at each precinct on Primary Election Day and throughout the State months and weeks prior to the election.
- ? Regional Level Voter Education Coordinators - The State was divided into 12 regions and 12 regional coordinators traveled each region conducting scheduled and impromptu DRE demonstrations throughout.
- ? County Level Voter Education Coordinators - Each County received funding from the State to hire a county level coordinator to conduct DRE demonstrations in coordination with the regional coordinators. Grants of \$4,000 and \$10,000 were made to each county based on voting age population, so that each county could conduct its own voter education programs in addition to what the State was doing.
- ? Community Voter Education Coordinators - The State contracted with and provided education funds to the following community interest groups who coordinated and conducted grass roots DRE demonstrations of the voting system:
 - o The Organization of Chinese Americans, Ga. Chapter
 - o The Georgia Hispanic Chamber of Commerce
 - o The Georgia State Office of AARP
 - o National Federation of the Blind
 - o Georgia NAACP Voter Empowerment
 - o League of Women Voters of Georgia Education Fund
 - o The Georgia Coalition of the Peoples' Agenda

Education and Training

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The Secretary of State partnered with the KSU Center for Election Systems (whose primary responsibility was to train and educate state and local election officials and poll workers on how to conduct an election using the voting system. KSU Center for Election Systems also established a mock election lab for training, and assisted State election officials in developing Election Day polling place procedures for the new voting system.

Continued Education and Training Activities

Current Georgia Election laws require local election superintendents, including municipal election superintendents to attend training on an annual basis. The Election code has been revised through SB 258 to require a certification program administered by KSU Center for Election Systems to provide continued educational training to local election officials and voter registrars including municipal election officials.

The Secretary of State and KSU Center for Election Systems will develop the curriculum for the certification program that may include training on the electronic voting system, local, state and federal election laws, polling place procedures, disability access initiatives, voter education initiatives, voter registration initiatives, new legislation that affects local, state, and federal election laws, and any other topics that may enhance the administration of elections.

Voter education will continue to be a priority of the Secretary of State. The state and regional Voter Education Coordinators will continue to implement new educational and voter outreach initiatives and will continue to canvass the state providing public demonstrations of the DRE units and will assist the local election officials with educational and voter registration efforts.

4. ***How the State will adopt voting system guidelines and processes, which are consistent with the requirements of section 301 (sec. 254,a, 4)***

Voting System Guidelines adopted by the 21st Century Voting Commission and used to select the statewide uniform electronic voting system used in the 2002 General Election were established in 2001 and passed into law by the General Assembly in 2001.

5. ***How the State will establish a Fund described in subsection (b) for purposes of administering the State's activities under this part, including information on fund management (sec. 254, a, 5)***

With the approval from the State of Georgia Department of Audits, the Office of Secretary of State established a separate bank account for the Election Fund and has assigned an internal identification code for tracking the expenditures. The Election Fund has been designated as a federal election fund account that shall only be used for the enhancement and continuation of election administration. As mentioned above, the Fund also contains individual expenditure codes for tracking -- Section 101, 102, Title II, and matching fund expenditures.

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6. *The State's proposed budget for activities under this part, based on the State's best estimates of the costs of such activities and the amount of funds to be made available, including specific information on--*

(a) The costs of the activities required to be carried out to meet the requirements of Title III;

(b) The portion of the requirements payment which will be used to carry out activities to meet such requirements; and

(c) The portion of the requirements payment which will be used to carry out other activities (sec. 254,a, 6)

Based on figures provided by the Congressional Research Service, the State of Georgia's portion of HAVA funding (assuming full appropriations under Title II of the Act) is approximately \$92 million dollars -- \$12.5 million under Title I and \$79.8 million under Title II. Georgia estimates the 5% match required under section 253 of HAVA to be approximately \$3.95 million to be appropriated to the Election Fund over a 3-year period.

As reported earlier the Secretary of State conducted a statewide procurement process wherein the State acquired a uniform statewide electronic voting system for all 159 counties. The funds used in this procurement process were generated from the issuance of general obligation bonds in the amount of \$54 million. Additionally the legislature appropriated \$4.5 million for voter education and training efforts. The Governor allotted an additional \$294,000 to the project to make grants available to counties for poll worker training costs. Upon procurement of the voting system each county received its proportionate number of voting units, educational funding, and training funding based on the criteria identified in section 2 above.

These factors proved to be helpful in allowing the Secretary of State to distribute voting equipment and training funds to each county in an equitable and efficient manner. The Secretary of State intends to continue using those criteria to ensure equitable and fair disbursements in the future.

The following budget table reflects both actual expenses related to 1st year election reform efforts and projected future reform activities designed to implement and meet HAVA requirements. Each category of reform requires implementation and maintenance expenses beyond the 1st year of deployment. Several of the HAVA reforms require additional expenses and continued maintenance of effort at a level beyond the State's general maintenance of effort for election administration.*

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GEORGIA BUDGET FOR HAVA ACTIVITIES

Total Estimated HAVA Disbursement: \$92,000,000 -- Title I \$13,293,000 -- Title II \$78,707,000.

HAVA Requirements	'02 -'03	SFY 03-04		SFY 04	SFY 05	SFY 06	TOTAL
	Cost of Implementation (State funds expended in FY 02 and FY 03)	A. HAVA	Title I	Title II	Title II	Title II	
		Reimbursement & Infrastructure Program Improvement Resources Available	Section 101, 102 Funds	Section 251 Funds	Section 251 Funds	Section 251 Funds	
		Subject to Federal Funding					
Voting System Replacement* (Sec. 301)	\$53,949,000	Voting System Replacement* (Sec. 301)		\$23,182,000	\$27,762,500	\$27,762,500	\$78,707,000
Punch card replacement. These costs were a part of Voting System Replacement	\$4,980,690	Punch card replacement. These costs were a part of Voting System Replacement	\$4,740,448				\$4,740,448
- DRE Purchase*	See above, Voting System Replacement						
		Grant for Prospective expenses. The state must maintain a current or greater level of appropriated funding for election operations/activities to receive these funds.	\$7,816,328				\$7,816,328
		Funds eligible to be received by state if the state is in compliance with HAVA provisions	\$12,556,776	\$23,182,000	\$27,762,500	\$27,762,500	\$91,263,776
		B. Planned use of HAVA funds	Section 101, 102 Funds	Section 251 Funds	Section 251 Funds	Section 251 Funds	
		Reimbursement of State for purchasing of voting equipment.	\$4,740,448	\$14,493,662	\$17,357,445	\$17,357,445	\$53,949,000
		Reimbursement of State for costs incurred in uniform voting equipment deployment and training in 2002 General election		\$1,500,000	\$1,500,000	\$1,500,000	\$4,500,000
Centralized Voter Registration System, other elections administrative and infrastructure improvements			\$6,916,328	\$6,338,338	\$7,655,055	\$8,155,055	\$29,064,776
Provisional Voting Access System (S-302)			\$200,000				\$200,000
Voter Outreach (Sec 254)				\$500,000	\$500,000	\$500,000	\$1,500,000
Election Poll Worker Training (S-254)				\$250,000	\$750,000	\$250,000	\$1,250,000
Polling Place Disability Access			\$700,000				\$700,000
Establish Administrative Complaint Procedure*				\$100,000			\$100,000
		Total HAVA funds expended.	\$12,556,776	\$23,182,000	\$27,762,500	\$27,762,500	\$91,263,776
		C. State Maintenance of Effort - Note: These funds must be appropriated for Election purposes for the State to be eligible to receive the funds to reimburse prior expenses for voting equipment. Georgia is required to identify a 5% match equaling approximately \$1,388,125 dependent upon federal funding. Georgia's match is included in the funds below.					
Voter Outreach (Sec 254)	\$4,000,000	Expenses for Elections Division for SFY 2000 as mandated to be the base level of expenses per HAVA Act.	\$4,598,813	\$4,598,813	\$4,598,813	\$4,598,813	\$18,395,252
		State Match - Must be appropriated as condition of HAVA Funding		\$659,100	\$888,125	\$888,125	\$2,435,350
Election Poll Worker Training (S-254)	\$500,000	State Match - Election Poll Worker Training (S-254)		\$500,000	\$500,000	\$500,000	\$1,500,000
		Total State maintenance of effort.		\$5,757,913	\$5,986,938	\$5,986,938	\$17,731,789
TOTAL	\$58,449,000	TOTAL EXPENDED		\$ 28,939,913	\$ 33,749,438	\$ 33,749,438	\$ 108,995,565

- ? Georgia's portion of HAVA funding is based upon funding assumptions provided by the Congressional Research Services.
- ? Georgia's projected spending amounts in each category are based upon an assumption of complete funding through HAVA and upon a best estimates spending analysis; these projections are not intended to reflect exact dollar amounts required to meet the actual cost for each category.
- ? Georgia reserves the right to amend the funding amounts in each category upon obtaining exact implementation costs based upon either a bid analysis or other costs of implementation as they materialize.
- ? Changes made to the level of spending within an individual category will not be considered a material change to the Plan, unless such changes eliminate all such funding within that category.

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A. Voting System Replacement. Sec 301

The State of Georgia has budgeted \$23,182,000 of HAVA funding under Title II to service the existing State Bonds mentioned above and to reimburse the State Treasury for State expenses related to election reform and HAVA compliance.

B. Punch Card Replacement. Sec 102

The State of Georgia has budgeted and expensed an initial disbursement of HAVA funding under Title I section 102 in the amount of \$4,740,448 to service the existing State Bonds mentioned above by reimbursing the State Treasury for the purchase of voting units for replacement of punch card and lever machine voting units in 1485 qualified precincts. The voting units used to replace the punch card and lever machine units meet the Title III system requirements.

C. Direct Recording Voting Equipment (DRE) Purchase. Sec 301

The acquisition of 19,015 DRE voting units was made in view of the pending passage of the Help America Vote Act. The State of Georgia went beyond the minimum requirements of the Act and acquired a sufficient number of voting units to allow every registered voter in the State of Georgia an equal and fair access to the most reliable and accurate voting platform in the world. The funds used in this procurement process were generated from the issuance of State Bonds in the amount of \$53,949,000.

See paragraph “A” above.

D. Centralized Voter Registration System. Sec 303

Although the State currently operates a centralized statewide voter registration database system, the system is antiquated and requires heavy maintenance at an exorbitant cost to the state and the counties. To alleviate this burdensome cost, streamline the registration process, and give every county a more reliable and efficient interface with the centralized voter registration system, the State proposes to purchase a new voter registration system. The State has identified several vendors that are capable of replacing the current system with a state -of-the-art system that allows more efficient interface and access at the county level.

The State of Georgia anticipates cost in the range of \$4 to \$15 million of HAVA funding from both Title I and Title II for the replacement of the current voter registration system, including additional cost for training to prepare county officials to use the new system. Additional election administration enhancements including county election official computer system upgrades, communication infrastructure upgrades, and other administrative enhancement costs are included in this projection.

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E. Provisional Balloting. Sec 302

The State of Georgia anticipates a cost of \$200,000 for the enhancement of its existing provisional balloting voting system, which will include the implementation of a new provisional ballot access system, costs for the creation, maintenance, and support of the enhanced system for tracking provisional ballots cast in 159 counties. This cost also includes printing costs for the forms. These funds may be expensed from Title I or Title II funding.

F. Voter Education and Outreach

The Counties and the Secretary of State have historically conducted voter education and outreach. However, as reported earlier in this Plan, as part of the implementation of the statewide uniform electronic voting system, the Secretary of State created a new state level Voter Educational Program designed to facilitate a uniform voter outreach effort. The program was managed by a “Voter Education Coordinator” who supervised 12 newly created state regional employee positions. The regional employees conducted grassroots demonstrations at an unprecedented level for educating and preparing voters to use the new voting system. Additionally, the State disbursed funds to each county based on the formula referenced above to enable the counties to hire a local voter education coordinator to collaborate with the state level coordinators.

Based on the overwhelming success of this program, Georgia citizens will expect and demand no less from the Secretary of State in the coming years. Accordingly, the State of Georgia has included in its budget the expenses associated with the ongoing Voter Education Coordinator efforts along with the grassroots efforts to be conducted by a reduced complement of six state regional voter education coordinators and local level coordinators hired by the counties.

Going forward, the Georgia Secretary of State is reducing the number of regional coordinators from 12 to 6, and these individuals will continue the voter educational outreach efforts year-round along with 1 state wide coordinator.

In light of the continued voter outreach efforts to educate Georgia Citizens on the new voting system, the State of Georgia has budgeted \$500,000 for continued voter education efforts on the use of the new voting system and the new HAVA voting requirements. These expenses will be expended from Title II of the Help America Vote Act.

G. Poll Worker - Election Official Training

The county election superintendent and the Secretary of State have historically conducted election official training; however poll worker training was solely the responsibility of the county election official. As reported earlier in this Plan, as part of the implementation of the Statewide Uniform Voting System, the Secretary of

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State partnered with the KSU Center for Election Systems to provide a state level source of training (in addition to the Vendor training included in the procurement contract) for county election official and poll worker training. The KSU Center for Election Systems operated on a \$500,000 annual budget and was charged with conducting state, regional, and county level training for any election official who required additional training. The KSU Center for Election Systems created a training election lab with a mock precinct set-up, conducted regional road shows and traveled to specific counties to provide additional training when necessary.

The State of Georgia plans to continue the partnership with the KSU Center for Election Systems. The KSU Center for Election Systems has created a training curriculum to offer accreditation to election officials and poll workers, which will be required of election officials in coming years.

The KSU Center for Election Systems will also assist the Secretary of State with a new ballot-building program created for the dual purpose of continued training and elections administration. The Office of the Secretary of State and the KSU Center for Election Systems will conduct this program jointly.

In light of the continued training needs for county election officials, poll workers, and ballot building, the Secretary of State has budgeted \$750,000 --\$500,000 for the operating budget of the KSU Center for Election Systems for 2004-2005 and \$250,000 for continual training efforts. These expenditures will be expensed from Title II of the Help America Vote Act.

H. Physical Accessibility

HAVA provides for use of federal funding to improve physical accessibility for disabled voters at polling places in each county. A number of polling places in each county are private locations, with a few exceptions, such as county election offices, city halls, public schools and fire stations. Based on this information, the Secretary of State will conduct a survey of all 159 counties requesting information on each precinct in each county to determine the number of precincts that will be eligible for HAVA funding for improved accessibility.

Upon determining the number of precincts in need of improvements, the Secretary of State (pending availability of funds) will provide funds to each county that demonstrates a need to improve physical accessibility for disabled voters and that qualify to receive the funds provided:

- ? The precincts are qualified
- ? The county certifies to the Secretary of State the costs incurred to improve physical accessibility
- ? The Secretary of State has sufficient funds in the state Election Fund to cover the expenses.

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The Secretary of State proposes to disburse \$700,000 in HAVA funding in addition to the \$335,000 received from the Department of Health and Human resources for improving disability access. These funds will be disbursed pursuant to the above criteria.

I. Administrative Complaint Procedure. Sec 402

The Administrative complaint system will be implemented and maintained using HAVA Title II funding. The Secretary of State proposes to include \$100,000 as the initial cost for implementing and maintaining the complaint system on a yearly basis.

J. Administrative Costs

To meet the Title III requirements and other administrative functions required under HAVA, the Secretary of State must coordinate and facilitate the planning, operation, reporting, and maintenance of every program designed to implement and maintain HAVA compliance. The Secretary of State shall develop a formula to calculate indirect costs associated with each activity designed to implement and comply with the Help America Vote Act, and such cost shall be expensed from the Election Fund and will not exceed 5% of the Election Fund.

7. *How the State, in using the requirements payment, will maintain the expenditures of the State for activities funded by the payment at a level that is not less than the level of such expenditures maintained by the State for the fiscal year prior to November 2000 (sec. 254,a, 7)*

The State of Georgia will continue to maintain that level of election administration expenditures incurred during the Fiscal Year of 1999 while conducting activities that fall under the Title III requirements of the Help America Vote Act.

8. *How the State will adopt performance goals and measures that will be used by the State to determine its success and the success of units of local government in the State in carrying out the plan, including timetables for meeting each of the elements of the Plan, descriptions of the criteria the State will use to measure performance and the process used to develop such criteria, and a description of which official is to be held responsible for ensuring that each performance goal is met (sec. 254, a, 8)*

The State of Georgia developed milestones and goals through the 21st Century Voting Commission that measured the effectiveness of the implementation and deployment of the statewide uniform electronic voting system. The milestones included performance goals designed to measure the effectiveness of the deployment of the voting system, which included, but was not limited to

- ? Voting system delivery and installation dates
- ? DRE training schedules

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- ? Regional and local voter education training schedules
- ? Poll worker and election official training schedules
- ? Pre-election day scheduling deadlines
- ? Election day performance reports including, DRE error rates (undervote and overvote rates), polling place closing rates, and election result reporting rates.

These milestones and measures where applicable, will be continued and carried forward to

- ? Measure implementation dates for new projects identified by the Secretary of State and county election officials
- ? Measure the efficiency of existing procedures
- ? Measure the efficiency of newly created procedures

Additionally, the Secretary of State periodically convenes a State and County Election Official Task Force charged with reviewing and establishing procedures for enhancing election administration within the State. The Task Force focuses on existing election law issues and develops new procedures for streamlining and creating efficiency in the election process.

9. ***A description of the uniform, nondiscriminatory state-based administrative complaint procedures in effect under section 402 (sec. 254, a, 9)***

The Secretary of State has received statutory authority to implement uniform rules and regulations to create an administrative complaint procedure that will meet the requirements of the Help America Vote Act. This procedure will be created and implemented before the first Federal Election in 2004.

10. ***If the State received any payment under Title I, a description of how such payment will affect the activities proposed to be carried out under the plan, including the amount of funds available for such activities (sec. 254, a, 10)***

The State of Georgia will use Title I funds to assist with the development of the State Plan and any other activities authorized by HAVA.

“Early Money Out” and impact on Plan

Section 102 “Early Money Out” will allow the State to service existing bond indebtedness generated to purchase the new statewide uniform electronic voting system that included replacing all punch card and lever voting systems. The State of Georgia went beyond the one DRE unit per precinct requirement by providing one DRE unit per every two hundred registered voters in each county.

The amount of funds used to replace one punch card and lever machine in each qualified precinct far exceeded the \$4,893,000 provided under section 102.

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Section 101 “Early Money Out” will allow the State to begin the process of acquiring a new voter registration system for the replacement of the current voter registration system.

The estimated cost for implementing this project will exceed the \$8.6 million provided under section 101.

11. ***Description of how the State will conduct ongoing management of the Plan (sec. 254, a, 11)***

The Elections Division of the Secretary of State will manage the Plan. The Election Division will oversee the continuation of existing and newly created election projects including system training, voter education, election official training, poll worker training, election support and any other activities that fall under the administration of elections;

“Material Changes” to the Plan may be developed on a periodic basis based on necessary changes to the Plan as a result of achieving milestones and performance measures used to gauge the effectiveness of the Plan.

12. ***In the case of a State with a State Plan in effect under this subtitle during the previous fiscal year, a description of how the Plan reflects changes from the State Plan for the previous fiscal year and of how the State succeeded in carrying out the State Plan for such previous fiscal year (sec. 254, a, 12)***

The State of Georgia had an implementation plan for the deployment of its statewide uniform voting system in 2002, however that plan was not effective under this subtitle during 2002.

13. ***A description of the committee, which participated in the development of the State Plan in accordance with section 255 and the procedures followed by the committee under such section and section 256 (sec. 254, a, 13)***

The “HAVA State Planning Commission” is comprised of state and local election officials and select community interest groups listed below:

- ? National Federation of the Blind
- ? Protection and Advocacy Group of Georgia
- ? League of Women Voters
- ? American Association of Retired Persons
- ? NAACP
- ? Georgia Hispanic Chamber of Commerce
- ? Organization of Chinese Americans
- ? Georgia Coalition of Black Women
- ? Other community interest groups and leaders.

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Additionally, the 21st Century Voting Commission, which assisted with the creation and implementation of the deployment plan for the statewide uniform voting system, consisted of multi-partisan representation from state and local level government, including state legislators from each party, local election officials, state election officials and community and civic groups as mentioned above.

HAVA STATE PLANNING COMMITTEE

Chief Election Officials (From 2 largest counties):

DeKalb County: Ms. Linda Latimore, Election Supervisor
DeKalb County Board of Elections and Voter Registration
4380 Memorial Drive
Decatur, GA 30032
Phone: (404) 298-4020
lwlatimo@co.dekalb.ga.us

Fulton County: Ms. Gloria Champion, Election Supervisor
Fulton County, Department of Registration and Elections
141 Pryor Street, SW, Ste. 4075
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Stakeholders (One representative from each group):

Asian Community: Henry J. Yee
Organization of Chinese Americans, Ga. Chapter
5137 Hampton Lake Drive
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Hispanic Community: Ms. Leigh Miller
Georgia Hispanic Chamber of Commerce
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League of Women Voters: Beth Nathan
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National Federation of the Blind:

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Georgia Advocacy Office:

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County Election Official Task Force Members:

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Gwinnett County: Ms. Lynn Ledford, Election Supervisor
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